



STATE OF TENNESSEE
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
NASHVILLE, TENNESSEE 37243-0435

ROBERT J. MARTINEAU, JR.
COMMISSIONER

BILL HASLAM
GOVERNOR

November 13, 2015

Via First Class and Electronic Mail to aemasters@tva.gov

Anita E. Masters

NEPA Program and Valley Projects
Tennessee Valley Authority
1101 Market Street
Chattanooga, TN 37402

Dear Anita E. Masters:

The Tennessee Department of Environment and Conservation (TDEC) appreciates the opportunity to provide comments on the Tennessee Valley Authority (TVA) *Draft Environmental Assessment for the Memphis Regional Megasite Power Supply* (Draft EA). The applicant, TVA, proposes to build a transmission line loop (TL) to supply power to the Memphis Regional Megasite (Megasite) located in Haywood County, Tennessee. The exact power needs for the Megasite have not been identified at this time and are pending the future recruitment of customers/corporations for the use of the Megasite. TVA proposes to site and plan for routes capable of supporting both a 6.5-mile 161-kilovolt (kV) TL and a 3.4-mile 500-kV TL, but will only construct one TL or the other. TVA would purchase right-of-way (ROW) easements that provide for the necessary rights to construct, operate, and maintain the proposed TL route. These easements would accommodate various widths to allow TVA the flexibility to provide the voltage needed at the Megasite.

Actions considered in detail within the Draft EA include:

- No Action Alternative - TVA would not provide a power supply to serve the Megasite located in southern Haywood County, contrary to its mission to support economic development across the valley. The state¹ would need to seek receiving the appropriate power supply from other sources. No direct environmental effects are anticipated as environmental condition on site would remain unchanged from current conditions.
- Action Alternative - TVA would identify and purchase the preferred ROW route giving it the rights to construct, operate, and maintain a TL along the route to provide a power supply. This route will allow for construction and operation of either a 161-kV or a 500-kV TL to supply power to the state-owned Megasite.

TDEC'S **Division of Natural Areas (DNA)** has reviewed the Draft EA and has no specific comments regarding the proposed action or its alternatives.

¹ TDEC recommends clarifying who within the state would specifically hold this responsibility.

TDEC'S **Division of Archeology (DoA)** has reviewed the Draft EA and comments that no prehistoric or historic archaeological sites were found that were considered eligible for the National Register of Historic Place.

TDEC's **Division of Solid Waste Management (SWM)** has reviewed the Draft EA and has the following comments:

- DSWM concurs with the "Environmental Professional Opinion" that there appears to be "business related risks" with potentially de minimis conditions associated with the stained soil at or near the portable diesel fuel trailer and aboveground fertilizer storage tank, along with other locations that may have been impacted from the trailer or tank that have yet to be identified. DSWM recommends that additional studies be performed to quantify the conditions/impact, and identify corrective actions which may be required to mitigate potential environmental impacts.²
- DSWM comments that the presence of numerous dilapidated sheds or buildings may contain building materials, such as asbestos, lead or polychlorinated biphenyls (PCBs), and household trash that will require characterization prior to disposal. Based upon the dates of the houses and building in the project area,³ there may have been disposal of various types of materials in the project area that predate the DSWM program and of which the DSWM is unaware.⁴ Any wastes uncovered during the project will be subject to a hazardous waste determination, and must be managed appropriately.
- As noted in the "Environmental Professional Opinion," additional investigative activities will be required to identify any materials found in the containers at the various locations/buildings at the site or loose within the storm cellar. DSWM comments that waste characterization should be performed for materials contained in drums, containers, and building materials prior to disposal to ensure compliance with the Solid and Hazardous Waste regulations, for any "discovered" materials to date and any additional materials discovered in the future. Any stained soil that is removed from the area where these containers are located, should be characterized prior to disposal.
- DSWM recommends that all closures and decommissioning activities be performed in compliance with the appropriate regulatory requirements and conditions. DSWM notes that there are no permitted solid waste facilities or non-registered sites identified in the subject area and is unaware of any sites in the area that would be impacted.

TDEC's **Division of Underground Storage Tanks (UST)** has reviewed the Draft EA and has no specific comments regarding the proposed action or its alternatives.

TDEC's **Division of Water Resources (DWR)** has reviewed the Draft EA and has the following comments:

² Any stained/impacted soil or other material identified and removed at the site will require characterization to determine the appropriate method of disposal.

³ These structures may date back to the 1800s or 1900s.

⁴ The Tennessee Solid Waste Management program only dates back to 1972.

- DWR does not foresee substantial environmental impacts from the project and will work with TVA through the permitting process when the route for the transmission line has been established.
- DWR comments that the main issues to be addressed will be the Aquatic Resource Alteration Permit (wetlands and streams)⁵ and the Construction Stormwater Permit,⁶ both for the line itself and the staging areas.
- DWR notes that Section 3.3 Aquatic Ecology states that during a field survey 35 ephemeral streams were documented. DWR does not designate streams as ephemeral, but does designate streams as wet weather conveyances. Therefore, some of these features deemed ephemeral in the Draft EA may be streams according to the definitions, rules and regulations of the State of Tennessee (TDEC –DWR).⁷ DWR recommends that a Hydrologic Determination (HD) be performed by a Qualified Hydrologic Professional (QHP) on each of these channels and submitted to the division for review/concurrence.

TDEC's **Division of Remediation (DoR)** has reviewed the Draft EA and has no specific comments regarding the proposed action or its alternatives.

TDEC's **Tennessee Geological Survey (TGS)** has reviewed the Draft EA and has the following comments:

- TGS comments that the site occurs in an area that is classified as Seismic Risk Zone 2, or moderate risk, due to its proximity to the New Madrid Seismic Zone and subject to potential earthquake damage. TGS recommends that the existing seismic hazards be addressed in the final EA.
- TGS comments that a review of available soil site class and susceptibility maps indicates that the area selected by TVA has a limited risk of impacts from liquefaction or other ground disturbances.

TDEC appreciates the opportunity to comment on the Draft EA. Please note that these comments are not indicative of approval or disapproval of the proposed action or its alternatives, nor should they be interpreted as an indication of all necessary permits that may be required from TDEC should action be taken. Please contact me should you have any questions regarding these comments.

Sincerely,



Michelle Walker Owenby
Assistant Commissioner of Policy and Planning

⁵ A full wetland report will need to be received for ARAP permitting purposes.

⁶ Under the TN Construction General Permit, either a 30' or 60' non-disturb buffer will be imposed along any streams in the project vicinity. This may impact the location of construction access roads, clearing and maintenance of ROW, etc.

⁷ The Antidegradation Policy will need to be followed for proposed impacts to streams and wetlands.

Phone: (615) 532-9668

cc:

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Mark Norton, TDEC, DoA
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Barry Brawley, TDEC, DoR
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